

**Notice of Allowability**

Application No.

10/751,485

Examiner

Charles Shedrick

Applicant(s)

SATO, TATSUHIRO

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 12/18/06.
2. ☒ The allowed claim(s) is/are 1,2,5-14 and 16-18, renumbered as 1-15.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some\* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |  |   |
|--|---|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application                     |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                               | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment                   |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material         | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|  | 9. <input type="checkbox"/> Other _____   |

**DETAILED ACTION**

*Allowable Subject Matter*

**EXAMINER'S AMENDMENT**

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Temnit Afework Reg. No. 58,202 on 2/13/07

The application has been amended as follows:

- Claim 1 should read as follows:

1. (CURRENTLY AMENDED) An apparatus which acquires position information about a user of plural types of information terminals, comprising: a service-asynchronous position information acquisition unit receiving data including position information from service-asynchronous information terminals that announce position information ~~independently~~ independent of requesting a service and that support plural types of different communications protocol and/or data format; and a service-synchronous position information acquisition unit receiving data including position information from service-synchronous information terminals that announce position information when requesting a service and that support plural types of different communications protocol and/or data format; wherein said service-asynchronous position information acquisition unit comprises a conversion unit converting the received data to the same format as data received by the service-synchronous position information acquisition

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unit; said service-synchronous position information acquisition unit further receives data converted by said conversion unit of said service-asynchronous position information acquisition unit; said service-asynchronous information terminals and said service-synchronous information terminals receiving services from across multiple service providers; and said service-synchronous position information acquisition unit comprises: a terminal determination unit determining a type of the information terminal depending on data transmitted from the information terminal of the user according to which a communications protocol and/or data format is employed for the data transmitted from the information terminal, and a position information extraction unit extracting position information about the user from the data transmitted from the information terminal in response to the determination result, where a service of the service providers services are offered is provided to the plural types of information terminals based on the acquired position information received by the service-synchronous position information acquisition unit.

- Claim 13 should reads as follows:

13. (CURRENTLY AMENDED) A method for obtaining position information about a user of plural types of information terminals, comprising: receiving data including position information from service-asynchronous information terminals that announce position information ~~independently~~ independent of requesting a service and that support plural types of different communications protocol and/or data format; receiving data including position information from service-synchronous information terminals that announce position information when requesting a service and that support plural types of different communications protocol and/or data format; converting the received data from the service-asynchronous information

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terminals to the same format as the data received from the service-synchronous information terminals; and receiving the converted data of the service-asynchronous information terminals with the data of said service-synchronous information terminals, said service-asynchronous information terminals and said service-synchronous information terminals receiving services from across multiple service providers; and wherein said receiving the converted data of said service-asynchronous information terminals and the data of said service-synchronous information terminals comprises determining a type of an information terminal by the data transmitted from the information terminal of a user according to which a communication protocol and/or data format is employed for the data transmitted from the information terminal, and extracting the position information about the user from the data transmitted from the information terminal depending on a ~~determination~~ result of said determining, where a service of the service providers ~~services are offered~~ is provided to the plural types of information terminals based on the position information received from the service-synchronous and the service asynchronous information terminals.

- Claim 16 should reads as follows:

16. (CURRENTLY AMENDED) A system of obtaining, managing, and using a status and a position of a user in an information terminal, comprising: a service synchronous position information acquisition unit for acquiring position information about a service synchronous information terminal according to a first communications protocol which announces position information when a user requests a service; and a service asynchronous position information acquisition unit for acquiring position information about a service asynchronous information terminal which announces position information ~~independently~~ independent of requesting a

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service, converting the position information of the service asynchronous information terminal according to various communications protocols depending on the information terminal to position information according to the first communications protocol when the user requests a the service, and transmitting the position information to the service synchronous position information acquisition unit according to the converted first communications protocol, ~~characterized in that~~ where said service synchronous position information acquisition unit comprises: a position information management unit for managing the status and position information acquired according to the first communications protocol per user rather than per information terminal; and an application link unit capable of retrieving service information according to the status and position information about a user from a user database and notifying a service provider of the information, where services from across multiple service providers are ~~offered~~ provided across ~~information terminals~~ said service-asynchronous information terminals and said service-synchronous information terminals based on the position information received by the service synchronous position information acquisition unit.

- Claim 18 should read as follows:

18. (CURRENTLY AMENDED) An apparatus which acquires position information about a user of plural types of information terminals, comprising: means for receiving data including position information from service-asynchronous information terminals that announce position information ~~independently~~ independent of requesting a service and that support plural types of different communications protocol and/or data format; and means for receiving data including position information from service-synchronous information terminals that announce position information when requesting a service and that support plural types of different communications

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protocol and/or data format; wherein said means for receiving data from the service-asynchronous information terminals includes means for converting the received data of the service-asynchronous information terminals to the same format as the data received by the service-synchronous position information acquisition unit; said means for receiving data from the service-synchronous information terminals includes means for receiving the converted data from the service-asynchronous information terminals, said service-asynchronous information terminals and said service-synchronous information terminals receiving services from across multiple service providers; and said means for receiving data from the service-synchronous information terminals comprises: a terminal determination means for determining a type of the information terminal depending on data transmitted from the information terminal of the user according to which a communications protocol and/or data format is employed for the data transmitted from the information terminal, and a position information extraction means for extracting position information about the user from the data transmitted from the information terminal in response to the determination result, where a service of the service providers services are offered is provided to ~~the plural types of information terminals~~ said service-asynchronous information terminals and said service-synchronous information terminals based on the position information received by said means for receiving data from the service-synchronous information terminals.

- Claim 19 has been cancelled.
- Claim 20 has been cancelled.

The following is an examiner's statement of reasons for allowance: The Prior art of record fails to teach both the service-asynchronous position information acquisition unit and service-

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synchronous position information acquisition unit and information received by the service-asynchronous position information acquisition unit is converted by the conversion unit and received by the service-synchronous position information acquisition unit where a service of the service providers is provided to said service-asynchronous information terminals and said service-synchronous information terminals based on the position information received by said means for receiving data from the service-synchronous information terminals. Furthermore, the service asynchronous information terminal which announces position information independent of requesting a service. The prior art of record which includes at least Takahiro and Hiroshi teaches position information acquisition units as outlined in the previous office actions, but fails to disclose both the service-asynchronous position information acquisition unit and service-synchronous position information acquisition unit as described in the claimed invention where said service-synchronous position information acquisition unit further receives data converted by said conversion unit of said service-asynchronous position information acquisition unit; said service-asynchronous information terminals and said service-synchronous information terminals receiving services from across multiple service providers.

Therefore, claims 1-2, 14, and 16-18as amended above are allowed.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Charles Shedrick whose telephone number is (571)-272-8621.

The examiner can normally be reached on Monday thru Friday 8:00AM-4:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kincaid Lester can be reached on (571)-272-7922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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2/26/07

  
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